

MONTANA SENATE
2007 LEGISLATURE

ROLL CALL

PUBLIC HEALTH, WELFARE & SAFETY

DATE 2-21-07

NAMES	PRESENT	ABSENT	EXCUSED
SEN. JOHN COBB (R)	✓		
SEN. JOHN ESP (R)	✓		
SEN. KIM GILLAN (D)	✓		
SEN. LYNDA MOSS (D)	✓		
SEN. TERRY MURPHY (R)	✓		
SEN. JERRY O'NEIL (R)	✓		
SEN. TRUDI SCHMIDT (D)	✓		
SEN. CAROL WILLIAMS (D)	✓		
SEN. DAN WEINBERG(D) CHAIR	✓		
LISA JACKSON (LSD)	✓		
PRUDENCE GILDROY, SECRETARY	✓		



SENATE STANDING COMMITTEE REPORT

February 22, 2007

Page 1 of 2

Mr. President:

We, your committee on **Public Health, Welfare and Safety** recommend that **Senate Bill 265**
(first reading copy -- white) **do pass as amended.**

Signed: _____

Senator Dan Weinberg, Chair

And, that such amendments read:

1. Title, line 6.

Following: "ASSISTANCE"

Insert: "BASED ON AN INCREASE IN THE FEDERAL POVERTY LEVEL"

2. Page 1, lines 24 through 25.

Strike: "less than or equal to"

Insert: "up to"

3. Page 1, line 26.

Strike: "the"

Insert: "that"

4. Page 1, line 26 through line 28.

Following: "purpose" on line 26

Strike: "of paying" through "premium subsidy."

5. Page 1, line 28.

Strike: "The"

Insert: "and the"

6. Page 2, line 4.

Strike: "If reduced"

Insert: "However, eligible persons with coverage in the
traditional association plan must receive first priority for
reduced premiums. By agreement of the association and the
commissioner, reduced"

7. Page 2, line 5.

Committee Vote:

Yes 5, No 2

Fiscal Note Required _____

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401308SC.ssc

Strike: "are"

Insert: "may be"

Following: "available"

Strike: ", those subsidies must be made available"

8. Page 2, line 5 through line 6.

Following: "eligible for"

Strike: "both the traditional plan and"

- END -



SENATE STANDING COMMITTEE REPORT

February 22, 2007

Page 1 of 2

Mr. President:

We, your committee on **Public Health, Welfare and Safety** recommend that **Senate Bill 326** (first reading copy -- white) **do pass as amended.**

Signed: _____

Dan Weinberg
Senator Dan Weinberg, Chair

And, that such amendments read:

1. Title, line 9.

Following: "PROSECUTION"

Insert: "AND A CIVIL PENALTY"

2. Page 1, line 18.

Strike: "residents"

Insert: "addresses"

3. Page 1, line 25.

Following: "information is"

Insert: "health care information, as defined in 50-16-504, is"

Following: "confidential"

Insert: ", "

4. Page 1, line 28 through line 29.

Following: "agencies" on line 28

Strike: remainder of line 28 through line 29

Insert: "when authorized by a search warrant;"

5. Page 2, line 16.

Following: line 15

Insert: "(4) The information collected in the database may not be used for any commercial purpose."

Renumber: subsequent subsections

6. Page 2, line 16.

Following: "in"

Strike: "a criminal or"

Committee Vote:

Yes 9, No 0

Fiscal Note Required _____

Kf

401251SC.ssc

Insert: "any"

Following: "proceeding"

Insert: "other than in an administrative proceeding related to the licensure or discipline of a practitioner. The fact that particular information is contained in the database may not be used as evidence in a criminal proceeding"

7. Page 2, line 22.

Following: line 21

Insert: "(7) No later than 3 years after the date that the patient's prescription data was made available to the board, the board shall purge the gathered information from the database unless the information is being used as part of an active investigation."

Renumber: subsequent subsections

8. Page 2, line 25.

Following: "database."

Insert: "The rules must be consistent with the privacy provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPPA), 42 U.S.C. 1320d, et seq., and administrative rules adopted in connection with that act."

9. Page 4, line 2.

Following: "sanctions"

Insert: "-- civil penalty"

10. Page 4, line 17.

Following: line 16

Insert: "(4) Any person or entity that is not permitted to receive information from the database pursuant to [section 1] and that knowingly or willfully obtains, discloses, or uses the information gathered in the database without written authorization from the patient is liable for a civil penalty not to exceed \$250,000 for each violation."

- END -



SENATE STANDING COMMITTEE REPORT

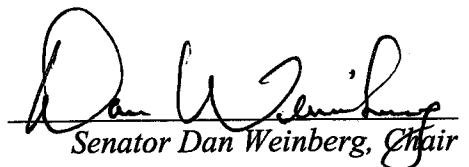
February 22, 2007

Page 1 of 1

Mr. President:

We, your committee on **Public Health, Welfare and Safety** recommend that **Senate Bill 505**
(first reading copy -- white) **do pass.**


Signed: _____


Senator Dan Weinberg, Chair

- END -

Committee Vote:

Yes 8, No 1

Fiscal Note Required 

400933SC.spb



SENATE STANDING COMMITTEE REPORT

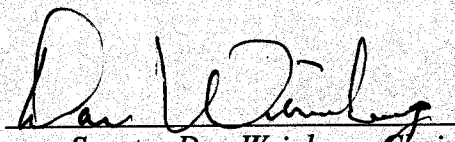
February 22, 2007

Page 1 of 2

Mr. President:

We, your committee on **Public Health, Welfare and Safety** recommend that **Senate Bill 504** (first reading copy -- white) **do pass as amended.**

Signed:


Senator Dan Weinberg, Chair

And, that such amendments read:

1. Page 2, line 19.

Following: "(5)"

Strike: "The"

Insert: "At least once a year, the"

2. Page 2, lines 20 and 21.

Following: "care"

Strike: ", and shall offer the support services at each review of a foster child's case plan"

3. Page 3, line 3.

Strike: "12"

Insert: "6"

Following: "care"

Insert: "each year"

4. Page 3, line 5.

Strike: "12"

Insert: "6"

Following: "care"

Insert: "each year"

5. Page 3, line 6.

Strike: "4"

Insert: "3"

Committee Vote:

Yes 5, No 4

Fiscal Note Required _____



401407SC.ssc

- END -



SENATE STANDING COMMITTEE REPORT

February 22, 2007

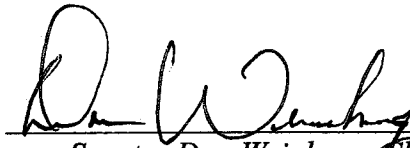
Page 1 of 1

Mr. President:

We, your committee on **Public Health, Welfare and Safety** recommend that **Senate Bill 478**

(first reading copy -- white) do pass.

Signed:


Senator Dan Weinberg, Chair

- END -

Committee Vote:

Yes 9, No 0

Fiscal Note Required Kf

400937SC.spb



SENATE STANDING COMMITTEE REPORT

February 22, 2007

Page 1 of 3

Mr. President:

We, your committee on **Public Health, Welfare and Safety** recommend that **Senate Bill 531**

(first reading copy -- white) **do pass as amended.**

Signed: _____

Dan Weinberg
Senator Dan Weinberg, Chair

And, that such amendments read:

1. Page 1, line 12.

Strike: "7"

Insert: "8"

2. Page 1, line 15.

Strike: "7"

Insert: "8"

3. Page 1, line 19.

Strike: "7"

Insert: "8"

4. Page 3, line 22.

Strike: "the management of"

5. Page 3, line 26.

Strike: "the management of"

6. Page 4, line 11.

Strike: "Sixty days prior"

Insert: "Prior"

7. Page 4, line 21.

Following: line 20

Following: "(2) The transferor may not transfer any public assets or make any change in its corporate governance in furtherance of the transaction described in the notice until 60 days following completion of the public hearing process as provided in [section 6]."

Committee Vote:

Yes 9, No 0

Fiscal Note Required _____

KF

401252SC.ssc

Renumber: subsequent subsections

8. Page 4, line 30.

Strike: "7"

Insert: "8"

9. Page 5, line 3.

Following: "review"

Strike: "and"

Insert: ". The attorney general"

10. Page 5, line 16.

Following: line 15

Insert: "In addition, the transferor and transferee shall pay half of the expenses incurred by the attorney general to provide notice of and conduct the hearing provided in [section 6]."

Following: "costs"

Insert: "and expenses"

Following: "general"

Insert: "and reimbursed by the transferor and transferee"

11. Page 5, line 29.

Strike: "7"

Insert: "8"

12. Page 6, line 8.

Strike: "notice"

Insert: "information to be published by the attorney general"

13. Page 6, line 30.

Following: "record."

Insert: "The information the attorney general is required to publish under [section 6] is not proprietary information or a trade secret."

14. Page 7, line 2.

Following: "public"

Insert: "as required by law"

Following: line 2

Insert: "NEW SECTION. Section 8. Attorney general powers retained. Subject to the procedural requirements of [sections 1 through 8], the attorney general retains all powers provided by law for the protection of public assets."

Renumber: subsequent sections

15. Page 8, line 7.

Following: "section"

Strike: "1"

Insert: "2"
Strike: "7"
Insert: "8"

16. Page 9, line 15.
Following: "section"
Strike: "1"
Insert: "2"
Strike: "7"
Insert: "8"

17. Page 9, line 27.
Following: "until"
Insert: "the later of"

18. Page 9, line 28.
Following: "general or"
Insert: ", in a transaction subject to [sections 1 through 8],
the time periods provided in [section 5] have elapsed or"

19. Page 9, line 29.
Strike: ", whichever is earlier"

20. Page 10, line 7.
Following: "section"
Strike: "1"
Insert: "2"
Strike: "7"
Insert: "8"

21. Page 10, line 9.
Strike: "7"
Insert: "8"

22. Page 10, line 11.
Strike: "7"
Insert: "8"

- END -



SENATE STANDING COMMITTEE REPORT

February 22, 2007

Page 1 of 1

Mr. President:

We, your committee on **Public Health, Welfare and Safety** recommend that **Senate Bill 521** (first reading copy -- white) **do pass as amended.**

Signed: _____

Dan Weinberg
Senator Dan Weinberg, Chair

And, that such amendments read:

1. Title, line 5.

Following: "CONSENT;"

Strike: "AND"

2. Title, line 6.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 2, line 17.

Strike: "signed"

4. Page 2, line 26.

Following: line 25

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2007."

- END -

Committee Vote:

Yes 9, No 0

Fiscal Note Required _____

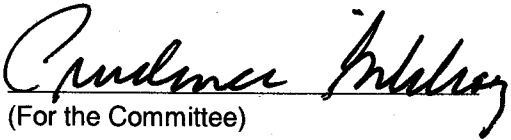
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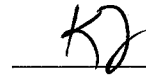
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COMMITTEE FILE COPY

TABLED BILL

The **SENATE PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE** TABLED **SB 499, SB 510**, by motion, on **Wednesday, February 21, 2007**.


(For the Committee)


(Secretary of the Senate)

_____, 12-22
(Time) (Date)

February 21, 2007

Prudence E. Gildroy, Secretary

Phone: 4759

SENATE PROXY FORM

According to Senate Rule 30-70 (13) (f) , a committee member may vote by proxy using a standard form.

PROXY VOTE

I, the undersigned, hereby authorize Senator Warr

to vote my proxy on any issue before the Senate Public Health

_____ Committee

held on _____, 2007.

SB 326 Amendment
326 as amended yes

Carol Miller

SENATOR
STATE OF MONTANA

over

PROXY VOTE

I, the undersigned, hereby authorize Senator

ESP to vote my proxy on any issue

before the Senate Public Health Committee

held on Feb. 21, 2007.

Amend 326 Aye
SB 326 Aye

Terry Murphy

SENATOR
STATE OF MONTANA

**MONTANA STATE SENATE
2007 LEGISLATURE**

PUBLIC HEALTH, WELFARE, AND SAFETY

VISITOR REGISTER

DATE 2-21-07

BILLS BEING HEARD TODAY _____

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Alexie Fitzgerald	268-1330	Voices of Hope	478	✓	
TRACY VELAZQUEZ	539-9715	MT Mntel Health Assn	478	✓	
Ralph Williams	461-0367				
Mary Anne Guggenheim	443-5006	Self	521	Informational	
Laurie Lamson	444-9407	DPHHS	518	Informational	
Mike Barrett 1225 Wilder Ave. (none)		WIF, Arts, PROGRESS, FND MTL, ENVIRONMENTALISM	478	~ ~	
Shirley K Brown	444-5906	DPHHS CFSD	504	Informational	
Mattie Womack	443-1160	MT Psychological Assoc	478	✓	
Judy Griffith	324-2521 227-8978	Amer Toward Suicide Prev	478	✓	
Ellie Miller	444-3624	DPHHS	505	Info	
Erin McGowan Firman	444-4613	SAO	265	✓	
MARKA BURZYNSKI	447-9628	BLUE-CROSS & BLUE-SHIELD	521		✓
Joni McCall	670-3084	Billings Clinic, MCI	478, 498	✓	
" "	"	Billings Clinic	521, 531	✓	
" "	"	MCI	504	✓	
Barb OR					
GARY McGowan	MHC 60	MHC	478	✓	
Kathy McGowan	ACS n	ACS	505	✓	
Ruby Johnson	443-3797	NFIB	498/499		✓
Kristy Blazer	454-1318	Johnson & Johnson	521	✓	

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

**MONTANA STATE SENATE
2007 LEGISLATURE**

PUBLIC HEALTH, WELFARE, AND SAFETY

VISITOR REGISTER

DATE _____

BILLS BEING HEARD TODAY _____

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Angela Hupchka	457-2291	NewWest Health Services	498/499	Info 498	X 499
Candice Coffey	457-4705	AARP MT	498/265	✓ ✓	
CHUCK HUNTER	202-2030	MT. PRIMARY CARE ASSOC.	498/499	✓ ✓	
CARL Schuler	431-2176	MT Sub Assoc	510		X
C. Rocky Whitens	719-587-3346	Senator Kaufman - MT patients	498	✓	
Beth Sine FNP-C	457-9157	Patients	498/505	✓ ✓	265 ✓
Joey Beverly	443-5341	MSCA	498/265	✓ ✓	
Angela Hupchka	457-2291	NewWest Health Services	SB265	✓	
FRANK COTE	3-9670	BLBS MCHA	SB 265	✓ AND.	
Lois Fitzpatrick	431-6122	Self	505	✓	
Vernor Berghel	442-2279	Self	498-265	✓	
Paul Johnson	443-5530	Self	498	✓	
Ken Kendrick	459-9440	DBI/OT Policy Institute	SB 498	✓	
Kim Abbott	442-5506	MT Human Rights Network	SB 498	✓	
Jennifer Hill-Hart	461-7530	MCADSV	SB498	X	
Annie Glover	570-4592	MEA-MET	SB498	X	
Jason Miller		APL-CID	SB498	X	
Steve Yeakel	443-1674	MT Council for Medicaid & Child Health	SB 498	X	
Bob Runkel	444-4434	ODI	SB 498	X	
John Alesh	442-1911	MHA	SB 498	X	

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

VISITOR REGISTER

BILLS BEING HEARD TODAY

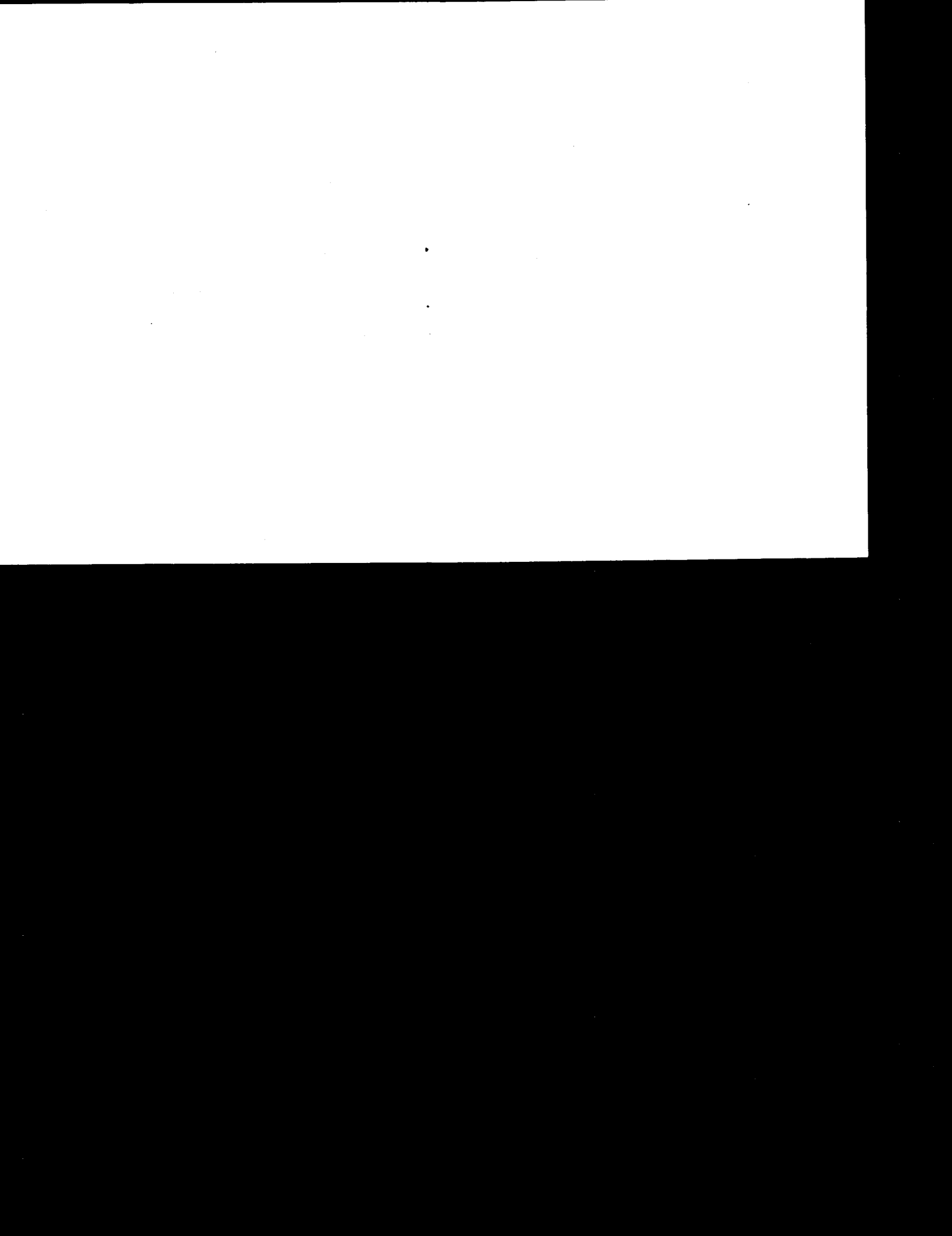
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Universal Declaration of Human Rights





The Human Rights Resource Center

The Human Rights Resource Center (HRRC) is a non-governmental organization dedicated to human rights education. The HRRC facilitates learning about human rights through resource production, seminars and workshops, and material distribution. This booklet represents one of the numerous resources created and distributed by the HRRC in order to disseminate information and educate people of all ages about human rights and responsibilities.

For more information about the resources and training offered by the Human Rights Resource Center, please contact us:

**Human Rights Resource Center
University of Minnesota
N-120 Mondale Hall
229 19th Avenue South
Minneapolis, MN 55455**

**Email: humanrts@umn.edu
Web sites: www.hrusa.org
www.umn.edu/humanrts**

**Toll Free: 1-888-HREDUC8
(1-888-473-3828)**

On December 10, 1948, the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights (UDHR). This Declaration guarantees the rights of all people and encompasses a broad spectrum of economic, social, cultural, political and civil rights. December 10th continues to be recognized as Human Rights Day worldwide. Activities and celebrations mark the importance of this Universal Declaration.

We urge you to familiarize yourself with this document, apply the human rights framework to issues in the United States, your state and your community, and recognize and support human rights in your daily life.

The Human Rights Resource Center



(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Article 27

(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29

(1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

Universal Declaration of Human Rights (Abbreviated)

Article 1

Right to Equality

Article 2

Freedom from Discrimination

Article 3

Right to Life, Liberty and Personal Security

Article 4

Freedom from Slavery

Article 5

Freedom from Torture and Degrading Treatment

Article 6

Right to Recognition as a Person before the Law

Article 7

Right to Equality before the Law

Article 8

Right to Remedy by Competent Tribunal

Article 9

Freedom from Arbitrary Arrest and Exile

Article 10

Right to Fair Public Hearing

Article 11

Right to be Considered Innocent until Proven Guilty

Article 12

Freedom from Interference with Privacy, Family, Home and Correspondence

Article 13

Right to Free Movement in and out of the Country

Article 14

Right to Asylum in other Countries from Persecution

Article 15

Right to a Nationality and the Freedom to Change Nationality

Article 16

Right to Marriage and Family

Article 17

Right to Own Property

Article 18

Freedom of Belief and Religion

Article 19

Freedom of Opinion and Information

Article 20

Right of Peaceful Assembly and Association

old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 23

(1) Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25

(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood,

Article 21

Right to Participate in Government and in Free Elections

Article 22

Right to Social Security

Article 23

Right to Desirable Work and to Join Trade Unions

Article 24

Right to Rest and Leisure

Article 25

Right to Adequate Living Standard

Article 26

Right to Education

Article 27

Right to Participate in the Cultural Life of Community

Article 28

Right to a Social Order that Articulates this Document

Article 29

Community Duties Essential to Free and Full Development

Article 30

Freedom from State or Personal Interference in the above Rights

association.

Article 21

(1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 17

- (1) Everyone has the right to own property alone as well as in association with others.
(2) No one shall be arbitrarily deprived of his property.

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public and private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

- (1) Everyone has the right to freedom of peaceful assembly and association.
(2) No one may be compelled to belong to an

Universal Declaration of Human Rights

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if a man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Article 14

- (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.
- (2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

- (1) Everyone has the right to a nationality.
- (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16

- (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 11

(1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13

(1) Everyone has the right to freedom of movement and residence within the borders of each State.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

*Now Therefore,
The General Assembly*

proclaims

**This Universal Declaration of Human
Rights**

as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act toward one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms

set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.